

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. v. Devon David Lee

Docket No. 2:10-CR-25-1BO

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Devon David Lee, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute More Than 50 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. §§ 841(a)(1) and 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on September 21, 2011, to the custody of the Bureau of Prisons for a term of 135 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On September 26, 2013, pursuant to the government's Rule 35 motion, Lee's sentence was reduced to 96 months imprisonment. Thereafter, on January 21, 2015, upon the defendant's motion pursuant to 18 U.S.C. § 3582(c)(2), Lee's sentence was reduced to 77 months imprisonment.

Devon David Lee was released from custody on April 1, 2016, at which time the term of supervised release commenced.

On September 23, 2016, a Petition for Action was submitted to the court advising that the defendant failed to notify his probation officer within 72 hours of his contact with law enforcement on September 12, 2016. It was also noted that on the date of the contact, Lee was present at an identified drug house when officers executed a search warrant and that he attempted to escape over a fence when officers arrived. The defendant was quickly apprehended and no contraband or weapons were found on his person. As a result of the violation, Lee was ordered to participate in the home detention program for a period of 30 days.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 16, 2016, a urine specimen collected from Lee on September 29, 2016, was determined by the national laboratory to be positive for oxycodone. On October 17, 2016, when confronted with the result, the defendant admitted that he used oxycodone he obtained from an individual in his neighborhood one to two days prior to September 29, 2016. Lee also advised that he used the medication because he was experiencing a painful skin disorder. In response to the violation, it is respectfully recommended that the defendant's supervised release be modified to include drug aftercare in the event additional drug use is detected. Lee signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Devon David Lee
Docket No. 2:10-CR-25-1BO
Petition For Action
Page 2

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

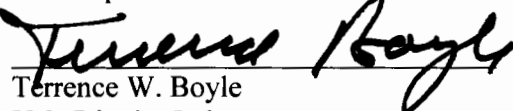
I declare under penalty of perjury that the foregoing
is true and correct.

/s/Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
306 East Main Street, Room 306
Elizabeth City, NC 27909-7909
Phone: 252-335-5508
Executed On: October 17, 2016

ORDER OF THE COURT

Considered and ordered this 18 day of October, 2016, and ordered filed and
made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge